

FORM PTO-1390  
(REV 10-94)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

07885.0093USWO

U.S. APPLICATION NO. (if known) 07885.0093  
Filed Herewith

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/NO2004/000071

March 12, 2004

March 13, 2003

TITLE OF INVENTION

SOIL MEMBRANE FORMING MIXTURE

APPLICANT(S) FOR DO/EO/US

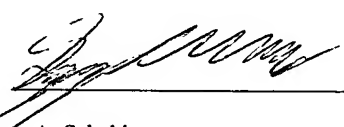
JOHNSEN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Application Data Sheet - 3 pgs., International Publication WO 2004/080156 A3 with attached International Search Report, Form PCT/IB/304, Form PCT/IB/308, Form PCT/IB/332, Form PCT/ISA/237, Form PCT/IPEA/416, Form PCT/IPEA/409

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
Filed Herewith <b>10/549941</b>		PCT/NO2004/000071		<b>JC17 Rec'd PCT/PTO 13 SEP 2005</b> 07885 00931JSWO	
<b>BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):</b>					
[X] a) Basic National fee.....				\$300.00	\$300.00
[X] b) Examination fee.....				\$200.00	\$200.00
[X] c) Search fee.....				\$500.00	\$500.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1000.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		Rate	
47	-100 = 0	/50 =		X \$250.00	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	49	-20 = 29	X \$50.00 \$1450.00		
Independent claims	2	-3 = 0	X \$200.00 \$0.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00 \$0.00		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$2450.00	
Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27				\$1225.00	
<b>SUBTOTAL =</b>				\$1225.00	
Processing fee of \$130.00 for furnishing the English translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$0.00	
<b>TOTAL NATIONAL FEE =</b>				\$1225.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$0.00	
<b>TOTAL FEES ENCLOSED =</b>				\$1225.00	
				Amount to be refunded	\$0.00
				charged	\$0.00
a. [ ] Check(s) in the amount of \$0.0 to cover the above fees is enclosed. b. [X] Please charge my Deposit Account No. 13-2725 in the amount of \$1225.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-2725.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO: Gregory A. Sebald MERCHANT & GOULD P.O. Box 2903 Minneapolis, MN 55402-0903					
			SIGNATURE:  NAME: Gregory A. Sebald REGISTRATION NUMBER: 33,280		

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/549941

Applicant: JOHNSEN  
 Docket: 07885.0093USWO  
 Title: SOIL MEMBRANE FORMING MIXTURE

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495843637 US  
 Date of Deposit: September 13, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By:   
 Name: Gregory A. Sebald

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Sir:

We are transmitting herewith the attached:


- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ National Stage PCT Patent Application: Spec. 38 pgs; 56 claims; Abstract 1 pgs.  
The fee has been calculated as shown below in the 'Claims as Filed' table.
- ☒ Small entity status is claimed pursuant to 37 CFR 1.27
- ☒ An unsigned Combined Declaration and Power of Attorney
- ☒ Application Data Sheet, 3 pages.
- ☒ Other: Preliminary Amendment, Form PCT 1390, International Publication WO 2004/080156 A3 with attached International Search Report, Form PCT/IB/304, Form PCT/IB/308, Form PCT/IB/332, Form PCT/ISA/237, Form PCT/IPEA/416, Form PCT/IPEA/409
- ☒ Return postcard
- ☒ **PLEASE CHARGE \$1225.00 TO DEPOSIT ACCOUNT NO. 13-2725 FOR PAYMENT OF THE FILING FEE**

## CLAIMS AS FILED

Number of Claims Filed	No.	In Excess of		Extra		Rate		Fee
Total Claims	49	20		29		25.00	=	725.00
Independent Claims	2	3		0		100.00	=	0.00
Multiple Dependent Claims Fee							=	0.00
Basic Filing Fee							=	150.00
Search Fee							=	250.00
Examination Fee							=	100.00
Utility Application Size Fee	47	100		0		125.00	=	0.00
Total							=	1225.00

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
 P.O. Box 2903 Minneapolis, MN 55402-0903  
 612.332.5300

By:   
 Name: Gregory A. Sebald  
 Reg. No.: 33,280  
 Initials: GAS/mkc

**23552**

PATENT TRADEMARK OFFICE

PTO TRANSMITTAL - NEW FILING)